

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

NEIMAN V. ROBINSON,
Plaintiff,

v.

CSL PLASMA CENTER,
Defendant.

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Civil Action No. 3:21-CV-02520-G-BH

Referred to U.S. Magistrate Judge¹

RECOMMENDATION REGARDING REQUEST TO PROCEED
IN FORMA PAUPERIS ON APPEAL

Before the Court is the plaintiff's *Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)*, received on September 22, 2022 (doc. 40), which is liberally construed as a request for leave to proceed *in forma pauperis* on appeal.

- (X) The request for leave to proceed *in forma pauperis* on appeal should be DENIED because the Court should certify under Fed. R. App. P. 24(a)(3) and 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith, and that it presents no legal points of arguable merit and is therefore frivolous for the reasons set forth in the findings, conclusions, and recommendation filed in this case on August 25, 2022 (doc. 35).

If the Court denies the request to proceed *in forma pauperis* on appeal, the plaintiff may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). *See* Fed. R. App. P. 24(a)(5).

SIGNED this 23rd day of September, 2022.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE

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By Amended Miscellaneous Order No. 6 (adopted by Special order No. 2-59 on May 5, 2005), requests to proceed *in forma pauperis* on appeal are automatically referred.